IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17157 of 2004

Between:
P. Kondal Reddy, S/o. Late Narayan Reddy,
B.No. 15693, R/o. & Post : Narsingapoor, Mandal & Via. Veenavanka,
Tq. Huzarabad, Karimnagar District.

..... PETITIONER

AND

1 APSRTC, Musheerabad, Hyderabad, Rep by its Managing Director.
2 APSRTC, Hyderabad City Region, J.B.S., Sec'bad, Rep by its Regional Manager

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in not giving the posting order for the post of driver and giving posting orders to the person who are next to the petitioner in the selection list as arbitrary, discriminatory, unjust, and in violation of Art. 14, 16 & 21 of the constitution of India and consequently direct the respondents to appoint the petitioner to the post of driver along with all consequential benefits on par with the juniors.

Counsel for the Petitioner:MR.V.NARASIMHA GOUD

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court at the stage of admission made the following :

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17157 of 2004

ORDER:

The petitioner contends that he was selected as a driver in pursuance of the selection made by the Selection Committee constituted for the posts of drivers on 16.5.2000 and he was placed at serial No.745 in the selection list. On 4.4.2001, he reported along with original documents. The Officials of the respondent verified the documents and found them true. Thereafter, the petitioner underwent training for the post of driver and was also found suitable on medical examination. The petitioner was informed that necessary posting orders would be communicated to him, but till now, no communication has been given to him regarding the posting orders. He performed duty for two days during the strike period in April, 2004. But no further orders have been issued to him.

The grievance of the petitioner is that the respondents engaged the other drivers, who were at serial Nos.756 onwards. The petitioner approached the 2nd respondent to consider his case and he also issued legal notice on 9.8.2004, but the respondents did not choose to react. Therefore, the petitioner approached this Court through this writ petition seeking a direction to the respondents to issue posting orders to him on par with the persons, who were selected along with him and who were below his serial number.

In the light of the circumstances explained by the petitioner, the respondents are directed to consider the case of the petitioner about his request for posting orders on par with his juniors with serial Nos.756, 760, 766, 769, 770, 780, 669, 725, 772, 773 and 775, who are said to be engaged by the respondents and working at present and pass appropriate orders according to rules and regulations, within four weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No order as to costs.

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23rd September, 2004

Nn.

Copies to:
1. The Managing Director, APSRTC, Musheerabad, Hyderabad, 2 The Regional Manager, APSRTC, Hyderabad City Region, J.B.S., Sec'bad.
3. Two C.D. copies.